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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,626	05/30/2001	Hisayuki Furuse	040302-0269	5535

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EXAMINER

NGUYEN, HANH N

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 07/25/2002 4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,626

Applicant(s)

FURUSE, HISAYUKI

Examiner

HANH NGUYEN

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-5, 7, 9-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakano.

Regarding claim 1 and 13, Nakano shows stator support structure for an electric rotary machine comprising: a divided-coil type stator (Fig. 7) including a plurality of divided stator cores (21) and a plurality of stator coils (15 in Fig. 2) wound around the stator cores, respectively;

a first rotor (37 in Fig. 2) disposed inside the divided-coil type stator;

a second rotor (38) disposed outside the divided-coil type stator;

a first stator support member or means supporting one side of the divided-coil type stator (46 in Fig. 2 and Col. 3, lines 37-39); and

a second stator support member or means (45) supporting the other side of the divided-coil type stator; wherein the divided-coil type stator, the first and second rotors are rotatably disposed in a concentric relationship to form a three-layer structure (Fig. 2), and both distal ends of the respective stator cores are rigidly supported with the first and second stator support members or means with a given equal distance.

Regarding claim 2, Nakano also shows a stator support structure for an electric rotary machine further comprising: a plurality of positioning projection members (43 in Fig. 2) which are located between the first and second stator support members and each of which remains between the adjacent stator cores to allow the stator cores to be positioned with the equal distance.

Regarding claim 3, Nakano also shows a stator support structure for an electric rotary machine wherein each of the positioning projection members (43) has a length extending between the first (46) and second stator support members (45).

Regarding claim 4, Nakano also shows a stator support structure for an electric rotary machine wherein each of the divided stator cores (21 in Fig. 8) is press fitted between the adjacent positioning projection members.

Regarding claim 5, Nakano also shows a stator support structure for an electric rotary machine wherein the stator cores are integrally supported with and coupled to the first and second stator support members by means of a plurality of fixing pins (bolts 43 in Fig. 2).

Regarding claim 7, Nakano also shows a stator support structure for an electric rotary machine wherein each of the first and second stator support members has a flow

passage (87 and 88 in Fig. 4 and the portion between bolt 43 and hole 81) for passing coolant medium.

Regarding claim 9, Nakano also shows a stator support structure for an electric rotary machine wherein the first and second stator support members and the positioning projection members have flow passages (Fig. 2,4,5,7) to allow coolant medium to flow.

Regarding claim 10, Nakano also shows a stator support structure for an electric rotary machine according to claim 2, wherein each of the stator coils is held in tight contact with adjacent surfaces of the first and second stator support members and the adjacent positioning projection members (inherent as can be seen in Fig. 2 and 8).

Regarding claim 11, Nakano also shows a stator support structure for an electric rotary machine wherein each of the stator cores has a flow passage (Fig. 7, lines 20-30) receiving each of fixing bolts (43) for fixing the stator cores, which is treated with a sealing material (jacket 80) to form a flow passage for passing coolant medium.

Regarding claim 12, Nakano also shows a stator support structure for an electric rotary machine according to claim 2, wherein each of the stator cores is held in tight contact with the first and second stator support members and the positioning projection members (inherent as can be seen in Fig. 2 and 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano.

Regarding claim 6, Nakano shows all limitations of the claimed invention except showing a stator support structure for an electric rotary machine wherein the first and second stator support members are made of a material having nonmagnetic and high heat conducting properties. It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to use nonmagnetic material with high heat conducting properties in a cooling structure, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 6, Nakano shows all limitations of the claimed invention except showing a stator support structure for an electric rotary machine wherein each of the positioning projection members is integrally formed with one of the stator support members. It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to have the projection members integrally formed with one of the stator support member, since it has been held that making an old device portable or movable without producing any new and unexpected result involves only routine skill in the art. In re Lindberg, 93 USPQ 23 (CCPA 1952).

Conclusion

Application/Control Number: 09/866,626
Art Unit: 2834

Page 6


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (703) 305-3466. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

July 18, 2002


NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
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